

**Senate File 435 - Introduced**

SENATE FILE 435

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1245)

**A BILL FOR**

1 An Act relating to and making appropriations involving state  
2 government entities involved with agriculture, natural  
3 resources, and environmental protection.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I  
DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
GENERAL APPROPRIATION FOR FY 2013-2014

Section 1. GENERAL FUND — DEPARTMENT.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulation, and programs; for salaries, support, maintenance, and miscellaneous purposes; and for not more than the following full-time equivalent positions:  
..... \$ 17,081,328  
..... FTEs 372.00

2. Of the amount appropriated in subsection 1, the following amount is transferred to Iowa state university of science and technology, to be used for the university's midwest grape and wine industry institute:

..... \$ 238,000

3. The department shall submit a report each quarter of the fiscal year to the legislative services agency, the department of management, the members of the joint appropriations subcommittee on agriculture and natural resources, and the chairpersons and ranking members of the senate and house committees on appropriations. The report shall describe in detail the expenditure of moneys appropriated in this section to support the department's administration, regulation, and programs.

DESIGNATED APPROPRIATIONS  
MISCELLANEOUS FUNDS

Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS — HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the department of agriculture and land stewardship for the fiscal year beginning July 1,

1 2013, and ending June 30, 2014, the following amount, or so  
2 much thereof as is necessary, to be used for the purposes  
3 designated:

4 For purposes of supporting the department's administration  
5 and enforcement of horse and dog racing law pursuant to section  
6 99D.22, including for salaries, support, maintenance, and  
7 miscellaneous purposes:

8 ..... \$ 305,516

9 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR FUEL  
10 INSPECTION.

11 1. There is appropriated from the renewable fuel  
12 infrastructure fund created in section 159A.16 to the  
13 department of agriculture and land stewardship for the fiscal  
14 year beginning July 1, 2013, and ending June 30, 2014, the  
15 following amount, or so much thereof as is necessary, to be  
16 used for the purposes designated:

17 For purposes of the inspection of motor fuel, including  
18 salaries, support, maintenance, and miscellaneous purposes:

19 ..... \$ 500,000

20 2. The department shall establish and administer programs  
21 for the auditing of motor fuel, including biofuel processing  
22 and production plants, for screening and testing motor fuel,  
23 including renewable fuel, and for the inspection of motor fuel  
24 sold by dealers including retail dealers who sell and dispense  
25 motor fuel from motor fuel pumps.

26 SPECIAL APPROPRIATIONS

27 GENERAL FUND

28 Sec. 4. DAIRY REGULATION. There is appropriated from the  
29 general fund of the state to the department of agriculture  
30 and land stewardship for the fiscal year beginning July 1,  
31 2013, and ending June 30, 2014, the following amount, or so  
32 much thereof as is necessary, to be used for the purposes  
33 designated:

34 1. For purposes of performing functions pursuant to section  
35 192.109, including conducting a survey of grade "A" milk and

1 certifying the results to the secretary of agriculture:  
2 ..... \$ 189,196

3 2. Notwithstanding section 8.33, moneys appropriated in  
4 this section that remain unencumbered or unobligated at the  
5 close of the fiscal year shall not revert but shall remain  
6 available to be used for the purposes designated until the  
7 close of the succeeding fiscal year.

8 Sec. 5. LOCAL FOOD AND FARM PROGRAM.

9 1. There is appropriated from the general fund of the state  
10 to the department of agriculture and land stewardship for the  
11 fiscal year beginning July 1, 2013, and ending June 30, 2014,  
12 the following amount, or so much thereof as is necessary, to be  
13 used for the purposes designated:

14 For purposes of supporting the local food and farm program  
15 pursuant to chapter 267A:  
16 ..... \$ 75,000

17 2. The department shall enter into a cost-sharing agreement  
18 with Iowa state university to support the local food and farm  
19 program coordinator position as part of the university's  
20 cooperative extension service in agriculture and home economics  
21 pursuant to chapter 267A.

22 3. Notwithstanding section 8.33, moneys appropriated in  
23 this section that remain unencumbered or unobligated at the  
24 close of the fiscal year shall not revert but shall remain  
25 available to be used for the purposes designated until the  
26 close of the succeeding fiscal year.

27 Sec. 6. AGRICULTURAL EDUCATION. There is appropriated from  
28 the general fund of the state to the department of agriculture  
29 and land stewardship for the fiscal year beginning July 1,  
30 2013, and ending June 30, 2014, the following amount, or so  
31 much thereof as is necessary, to be used for the purposes  
32 designated:

33 1. For purposes of allocating moneys to an Iowa association  
34 affiliated with a national organization which promotes  
35 agricultural education providing for future farmers:

1 ..... \$ 25,000

2 2. Notwithstanding section 8.33, moneys appropriated in  
3 this section that remain unencumbered or unobligated at the  
4 close of the fiscal year shall not revert but shall remain  
5 available to be used for the purposes designated until the  
6 close of the succeeding fiscal year.

7 Sec. 7. FARMERS WITH DISABILITIES PROGRAM.

8 1. There is appropriated from the general fund of the state  
9 to the department of agriculture and land stewardship for the  
10 fiscal year beginning July 1, 2013, and ending June 30, 2014,  
11 the following amount, or so much thereof as is necessary, to be  
12 used for the purposes designated:

13 For purposes of supporting a program for farmers with  
14 disabilities:

15 ..... \$ 130,000

16 2. The moneys appropriated in subsection 1 shall be used for  
17 the public purpose of providing a grant to a national nonprofit  
18 organization with over 80 years of experience in assisting  
19 children and adults with disabilities and special needs.

20 a. The moneys shall be used to support a nationally  
21 recognized program that began in 1986 and has been replicated  
22 in at least 30 other states, but which is not available through  
23 any other entity in this state, and that provides assistance  
24 to farmers with disabilities in all 99 counties to allow the  
25 farmers to remain in their own homes and be gainfully engaged  
26 in farming through provision of agricultural worksite and home  
27 modification consultations, peer support services, services  
28 to families, information and referral, and equipment loan  
29 services.

30 b. Notwithstanding section 8.33, moneys appropriated in  
31 this section that remain unencumbered or unobligated at the  
32 close of the fiscal year shall not revert but shall remain  
33 available for expenditure for the purposes designated until the  
34 close of the succeeding fiscal year.

35 DIVISION II

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GENERAL FUND

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

SOIL AND WATER CONSERVATION AND WATER QUALITY

Sec. 8. SOIL AND WATER CONSERVATION — GENERAL. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For use by the department in providing for soil and water conservation administration, the conservation of soil and water resources, or the support of soil and water conservation district commissioners:

..... \$ 6,000,000

2. Not more than 5 percent of the moneys appropriated in subsection 1 may be allocated for cost sharing to address complaints filed under section 161A.47.

3. Of the moneys appropriated in subsection 1, 5 percent shall be allocated for financial incentives to establish practices to protect watersheds above publicly owned lakes of the state from soil erosion and sediment as provided in section 161A.73.

4. Not more than 30 percent of a soil and water conservation district's allocation of moneys as financial incentives may be provided for the purpose of establishing management practices to control soil erosion on land that is row cropped, including but not limited to no-till planting, ridge-till planting, contouring, and contour strip-cropping as provided in section 161A.73.

5. The state soil conservation committee established by section 161A.4 may allocate moneys appropriated in subsection 1 to conduct research and demonstration projects to promote conservation tillage and nonpoint source pollution control practices.

6. The allocation of moneys as financial incentives as

1 provided in section 161A.73 may be used in combination with  
2 moneys allocated by the department of natural resources.

3 7. Not more than 15 percent of the moneys appropriated  
4 in subsection 1 may be used for costs of administration and  
5 implementation of soil and water conservation practices.

6 8. The moneys appropriated in this section shall not be  
7 used by the soil conservation division of the department of  
8 agriculture and land stewardship to provide administrative  
9 support to the watershed improvement review board established  
10 in section 466A.3.

11 Sec. 9. SOIL AND WATER CONSERVATION —

12 ADMINISTRATION. There is appropriated from the general fund of  
13 the state to the department of agriculture and land stewardship  
14 for the fiscal year beginning July 1, 2013, and ending June 30,  
15 2014, the following amount, or so much thereof as is necessary,  
16 to be used for the purposes designated:

17 For use by the department for costs of administration and  
18 implementation of soil and water conservation practices:

19 ..... \$ 2,550,000

20 Sec. 10. WATER QUALITY INITIATIVE — GENERAL.

21 1. There is appropriated from the general fund of the state  
22 to the department of agriculture and land stewardship for the  
23 fiscal year beginning July 1, 2013, and ending June 30, 2014,  
24 the following amount, or so much thereof as is necessary, to be  
25 used for the purposes designated:

26 For deposit in the water quality initiative fund created  
27 in section 466B.46, as enacted by this Act, for purposes of  
28 supporting the water quality initiative administered by the  
29 soil conservation division as provided in section 466B.42, as  
30 enacted by this Act, including salaries, support, maintenance,  
31 miscellaneous purposes, and for not more than the following  
32 full-time equivalent positions:

33 ..... \$ 2,400,000

34 ..... FTEs 1.00

35 2. The moneys appropriated in subsection 1 shall be used

1 to support reducing nutrients in subwatersheds as designated  
2 by the division that are part of high-priority watersheds  
3 identified by the water resources coordinating council  
4 established pursuant to section 466B.3. In supporting reducing  
5 nutrients in subwatersheds, the division shall establish and  
6 administer demonstration projects as follows:

7 a. The demonstration projects shall utilize water quality  
8 practices as described in the latest revision of the document  
9 entitled "Iowa Nutrient Reduction Strategy" initially presented  
10 in November 2012 by the department of agriculture and land  
11 stewardship, the department of natural resources, and Iowa  
12 state university of science and technology.

13 b. The division shall implement demonstration projects as  
14 provided in paragraph "a" by providing for participation by  
15 persons who hold a legal interest in agricultural land used in  
16 farming. To every extent practical, the division shall provide  
17 for collaborative participation by such persons who hold a  
18 legal interest in agricultural land located within the same  
19 subwatershed.

20 c. The division shall implement a demonstration project on  
21 a cost-share basis as determined by the division. However, the  
22 state's share of the amount shall not exceed 50 percent of the  
23 estimated cost of establishing the practice as determined by  
24 the division or 50 percent of the actual cost of establishing  
25 the practice, whichever is less.

26 d. The demonstration projects shall be used to educate other  
27 persons about the feasibility and value of establishing similar  
28 water quality practices. The division shall promote field day  
29 events for purposes of allowing interested persons to establish  
30 water quality practices on their agricultural land.

31 e. The division shall conduct water quality evaluations  
32 within supported subwatersheds. Within a reasonable period  
33 after accumulating information from such evaluations, the  
34 division shall create an aggregated database of water quality  
35 practices. Any information identifying a person holding a

1 legal interest in agricultural land or specific agricultural  
2 land shall be a confidential record under section 22.7.

3 3. The moneys appropriated in subsection 1 shall be used  
4 to support education and outreach in a manner that encourages  
5 persons who hold a legal interest in agricultural land used for  
6 farming to implement water quality practices, including the  
7 establishment of such practices in watersheds generally, and  
8 not limited to subwatersheds or high-priority watersheds.

9 4. The moneys appropriated in subsection 1 may be used  
10 to contract with persons to coordinate the implementation of  
11 efforts provided in this section. Not more than \$150,000 shall  
12 be used to support the administration of this section by a  
13 full-time equivalent position.

14 5. Notwithstanding any other provision in law to the  
15 contrary, the department may use moneys appropriated in  
16 subsection 1 in combination with other moneys appropriated  
17 to the department from the environment first fund created in  
18 section 8.57A for cost sharing to match the United States  
19 department of agriculture, natural resources conservation  
20 service, wetland reserve enhancement program.

21 Sec. 11. WATER QUALITY INITIATIVE — SPECIAL PROJECTS.

22 1. There is appropriated from the general fund of the state  
23 to the department of agriculture and land stewardship for the  
24 fiscal year beginning July 1, 2013, and ending June 30, 2014,  
25 the following amount, or so much thereof as is necessary, to be  
26 used for the purposes designated:

27 For deposit in the water quality initiative fund created  
28 in section 466B.46, as enacted by this Act, for purposes of  
29 supporting special projects associated with a water quality  
30 initiative administered by the soil conservation division as  
31 provided in section 466B.42 as enacted by this Act:

32 ..... \$ 10,000,000

33 2. a. Seventy percent of the moneys shall be used to  
34 support projects in subwatersheds as designated by the division  
35 that are part of high-priority watersheds identified by the

1 water resources coordinating council established pursuant to  
2 section 466B.3.

3 b. Thirty percent of the moneys shall be used to support  
4 projects in watersheds generally, including regional  
5 watersheds, as designated by the division, and high-priority  
6 watersheds identified by the water resources coordinating  
7 council established pursuant to section 466B.3.

8 3. In supporting projects in subwatersheds and watersheds  
9 as provided in subsection 2, the division shall do all of the  
10 following:

11 a. Utilize water quality practices as described in the  
12 latest revision of the document entitled "Iowa Nutrient  
13 Reduction Strategy" initially presented in November 2012 by the  
14 department of agriculture and land stewardship, the department  
15 of natural resources, and Iowa state university of science and  
16 technology.

17 b. Participate with persons who hold a legal interest in  
18 agricultural land used in farming. To every extent practical,  
19 the division shall provide for collaborative participation by  
20 such persons who hold a legal interest in agricultural land  
21 located within the same watershed.

22 c. Finance the establishment of water quality practices on  
23 a cost-share basis as determined by the division. However, the  
24 state's share of the amount shall not exceed 50 percent of the  
25 estimated cost of establishing the water quality practice as  
26 determined by the division or 50 percent of the actual cost of  
27 establishing the water quality practice, whichever is less.

28 4. Notwithstanding any other provision in law to the  
29 contrary, the department may use moneys appropriated in  
30 subsection 1 in combination with other moneys appropriated  
31 to the department from the environment first fund created in  
32 section 8.57A for cost sharing to match the United States  
33 department of agriculture, natural resources conservation  
34 service, wetland reserve enhancement program.

35 Sec. 12. WATER QUALITY INITIATIVE APPROPRIATIONS — FEDERAL

1 MONEYS. The department of agriculture and land stewardship,  
2 and its soil conservation division, may use moneys appropriated  
3 in this division of this Act to support the water quality  
4 initiative, including its projects, as provided in this  
5 division of this Act, in combination with other moneys provided  
6 by the United States government.

7 Sec. 13. WATER QUALITY INITIATIVE — REPORT. The department  
8 of agriculture and land stewardship shall prepare a preliminary  
9 report and final report regarding its efforts to administer the  
10 water quality initiative as provided in this division. Each  
11 report shall include information regarding the establishment of  
12 water quality practices, including demonstration projects, and  
13 education and outreach efforts. The department shall deliver  
14 the preliminary report to the governor and general assembly not  
15 later than January 15, 2014, and shall deliver the final report  
16 to the governor and general assembly not later than January 15,  
17 2015. A report shall not identify an individual or specific  
18 agricultural land.

19 Sec. 14. WATERSHED IMPROVEMENT FUND.

20 1. There is appropriated from the general fund of the state  
21 to the department of agriculture and land stewardship for the  
22 fiscal year beginning July 1, 2013, and ending June 30, 2014,  
23 the following amount, or so much thereof as is necessary, to be  
24 used for the purpose designated:

25 For deposit in the watershed improvement fund created in  
26 section 466A.2:

27 ..... \$ 4,000,000

28 2. Of the amount appropriated in subsection 1, 50 percent  
29 shall be used for purposes of supporting special projects  
30 associated with the water quality initiative administered by  
31 the soil conservation division as provided in this division.

32 Sec. 15. NONREVERSION.

33 1. Notwithstanding section 8.33, moneys appropriated in  
34 this division that remain unencumbered or unobligated at the  
35 close of the fiscal year shall not revert but shall remain

1 available for expenditure for the purposes designated until the  
2 close of the fiscal year beginning July 1, 2014.

3 2. Subsection 1 does not apply to the appropriations made in  
4 this division for any of the following purposes:

5 a. The appropriation made for deposit into the watershed  
6 improvement fund pursuant to section 466A.2. Notwithstanding  
7 section 8.33, the appropriation made in that section shall not  
8 revert.

9 b. The appropriation made for use by the department of  
10 agriculture and land stewardship in providing for soil and  
11 water conservation administration, the conservation of soil and  
12 water resources, or the support of soil and water conservation  
13 district commissioners. Notwithstanding section 8.33, moneys  
14 appropriated in that section that remain unencumbered or  
15 unobligated moneys at the close of the fiscal year shall revert  
16 at the close of the fiscal year beginning July 1, 2016.

17 c. The appropriations made in this division for deposit into  
18 the water quality initiative fund created in section 466B.46,  
19 as enacted by this Act.

20 DIVISION III

21 DEPARTMENT OF NATURAL RESOURCES

22 GENERAL APPROPRIATIONS FOR FY 2013-2014

23 Sec. 16. GENERAL FUND — DEPARTMENT.

24 1. There is appropriated from the general fund of the state  
25 to the department of natural resources for the fiscal year  
26 beginning July 1, 2013, and ending June 30, 2014, the following  
27 amount, or so much thereof as is necessary, to be used for the  
28 purposes designated:

29 For purposes of supporting the department, including its  
30 divisions, for administration, regulation, and programs; for  
31 salaries, support, maintenance, and miscellaneous purposes; and  
32 for not more than the following full-time equivalent positions:  
33 ..... \$ 12,516,700  
34 ..... FTEs 1,145.95

35 2. The department shall submit a report each quarter of the



1     Sec. 18. GROUNDWATER PROTECTION FUND — WATER  
2 QUALITY. There is appropriated from the groundwater protection  
3 fund created in section 455E.11 to the department of natural  
4 resources for the fiscal year beginning July 1, 2013,  
5 and ending June 30, 2014, from those moneys which are not  
6 allocated pursuant to that section, the following amount, or  
7 so much thereof as is necessary, to be used for the purposes  
8 designated:

9     For purposes of supporting the department's protection  
10 of the state's groundwater, including for administration,  
11 regulation, and programs, and for salaries, support,  
12 maintenance, equipment, and miscellaneous purposes:  
13 ..... \$ 3,455,832

DESIGNATED APPROPRIATIONS

MISCELLANEOUS FUNDS

16     Sec. 19. SPECIAL SNOWMOBILE FUND — SNOWMOBILE  
17 PROGRAM. There is appropriated from the special snowmobile  
18 fund created under section 321G.7 to the department of natural  
19 resources for the fiscal year beginning July 1, 2013, and  
20 ending June 30, 2014, the following amount, or so much thereof  
21 as is necessary, to be used for the purpose designated:

22     For purposes of administering and enforcing the state  
23 snowmobile programs:  
24 ..... \$ 100,000

25     Sec. 20. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE  
26 TANK SECTION EXPENSES. There is appropriated from the  
27 unassigned revenue fund administered by the Iowa comprehensive  
28 underground storage tank fund board to the department of  
29 natural resources for the fiscal year beginning July 1, 2013,  
30 and ending June 30, 2014, the following amount, or so much  
31 thereof as is necessary, to be used for the purpose designated:

32     For purposes of paying for administration expenses of the  
33 department's underground storage tank section:  
34 ..... \$ 200,000

SPECIAL APPROPRIATIONS

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GENERAL FUND

Sec. 21. FLOODPLAIN MANAGEMENT AND DAM SAFETY.

1. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of supporting floodplain management and dam safety:

..... \$ 2,000,000

2. Of the amount appropriated in subsection 1, up to \$400,000 may be used by the department to acquire or install stream gages for purposes of tracking and predicting flood events and for compiling necessary data to improve flood frequency analysis.

3. Notwithstanding section 8.33, moneys appropriated in subsection 1 that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 22. FORESTRY HEALTH MANAGEMENT.

1. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of providing for forestry health management programs:

..... \$ 200,000

2. Notwithstanding section 8.33, moneys appropriated for the fiscal year beginning July 1, 2013, in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the purposes designated until the close of the succeeding fiscal year.

1     Sec. 23. STATE PARK MAINTENANCE AND OPERATIONS.

2     1. There is appropriated from the general fund of the state  
3 to the department of natural resources for the fiscal year  
4 beginning July 1, 2013, and ending June 30, 2014, the following  
5 amount, or so much thereof as is necessary, to be used for the  
6 purposes designated:

7     For purposes of supporting the regular maintenance and  
8 operations of state parks, including salaries, support,  
9 maintenance, and miscellaneous purposes:

10 ..... \$ 2,900,000

11     2. Notwithstanding section 8.33, moneys appropriated in  
12 subsection 1 that remain unencumbered or unobligated at the  
13 close of the fiscal year shall not revert but shall remain  
14 available to be used for the purposes designated until the  
15 close of the succeeding fiscal year.

16                                   DIVISION IV

17                                   IOWA STATE UNIVERSITY

18             SPECIAL GENERAL FUND APPROPRIATIONS FOR FY 2013-2014

19     Sec. 24. VETERINARY DIAGNOSTIC LABORATORY.

20     1. There is appropriated from the general fund of the state  
21 to Iowa state university of science and technology for the  
22 fiscal year beginning July 1, 2013, and ending June 30, 2014,  
23 the following amount, or so much thereof as is necessary, to be  
24 used for the purposes designated:

25     For purposes of supporting the college of veterinary  
26 medicine for the operation of the veterinary diagnostic  
27 laboratory and for not more than the following full-time  
28 equivalent positions:

29 ..... \$ 3,237,636

30 ..... FTEs           50.00

31     2. a. Iowa state university of science and technology  
32 shall not reduce the amount that it allocates to support the  
33 college of veterinary medicine from any other source due to the  
34 appropriation made in this section.

35     b. Paragraph "a" does not apply to a reduction made to

1 support the college of veterinary medicine, if the same  
2 percentage of reduction imposed on the college of veterinary  
3 medicine is also imposed on all of Iowa state university's  
4 budget units.

5 3. If by June 30, 2014, Iowa state university of science and  
6 technology fails to allocate the moneys appropriated in this  
7 section to the college of veterinary medicine in accordance  
8 with this section, the moneys appropriated in this section for  
9 that fiscal year shall revert to the general fund of the state.

10 Sec. 25. VETERINARY DIAGNOSTIC LABORATORY — FUTURE FISCAL  
11 YEAR. This section applies if appropriations made in this Act  
12 and all other Acts enacted by the Eighty-fifth General Assembly  
13 during the 2013 regular session and all extraordinary sessions,  
14 for the fiscal year beginning July 1, 2013, and ending June  
15 30, 2014, for purposes of supporting the operation of the  
16 veterinary diagnostic laboratory associated with the college  
17 of veterinary medicine at Iowa state university, total less  
18 than \$4,000,000. It is the intent of the general assembly  
19 that the amount of any deficit will be appropriated by the  
20 general assembly during its 2014 regular session for purposes  
21 of supporting the operation of the veterinary diagnostic  
22 laboratory for the fiscal year beginning July 1, 2014, and  
23 ending June 30, 2015.

24 DIVISION V

25 ENVIRONMENT FIRST FUND

26 GENERAL APPROPRIATIONS FOR FY 2013-2014

27 Sec. 26. DEPARTMENT OF AGRICULTURE AND LAND  
28 STEWARDSHIP. There is appropriated from the environment first  
29 fund created in section 8.57A to the department of agriculture  
30 and land stewardship for the fiscal year beginning July 1,  
31 2013, and ending June 30, 2014, the following amounts, or so  
32 much thereof as is necessary, to be used for the purposes  
33 designated:

- 34 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)  
35 a. For the conservation reserve enhancement program to

1 restore and construct wetlands for the purposes of intercepting  
2 tile line runoff, reducing nutrient loss, improving water  
3 quality, and enhancing agricultural production practices:  
4 ..... \$ 1,000,000

5 b. Not more than 10 percent of the moneys appropriated  
6 in paragraph "a" may be used for costs of administration and  
7 implementation of soil and water conservation practices.

8 c. Notwithstanding any other provision in law, the  
9 department may provide state resources from this appropriation,  
10 in combination with other appropriate environment first  
11 fund appropriations, for cost sharing to match United States  
12 department of agriculture, natural resources conservation  
13 service, wetlands reserve enhancement program (WREP) funding  
14 available to Iowa.

15 2. WATERSHED PROTECTION

16 a. For continuation of a program that provides  
17 multiobjective resource protections for flood control, water  
18 quality, erosion control, and natural resource conservation:  
19 ..... \$ 1,000,000

20 b. Not more than 10 percent of the moneys appropriated  
21 in paragraph "a" may be used for costs of administration and  
22 implementation of soil and water conservation practices.

23 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

24 a. For continuation of a statewide voluntary farm  
25 management demonstration program to demonstrate the  
26 effectiveness and adaptability of emerging practices in  
27 agronomy that protect water resources and provide other  
28 environmental benefits:  
29 ..... \$ 625,000

30 b. Not more than 10 percent of the moneys appropriated  
31 in paragraph "a" may be used for costs of administration and  
32 implementation of soil and water conservation practices.

33 c. Of the amount appropriated in paragraph "a", \$400,000  
34 shall be allocated to an organization representing soybean  
35 growers to provide for an agriculture and environment

1 performance program in order to carry out the purposes of this  
2 subsection as specified in paragraph "a".

3 4. CONSERVATION RESERVE PROGRAM (CRP)

4 a. To encourage and assist farmers in enrolling in and the  
5 implementation of the federal conservation reserve program and  
6 to work with them to enhance their revegetation efforts to  
7 improve water quality and habitat:

8 ..... \$ 1,000,000

9 b. Not more than 10 percent of the moneys appropriated  
10 in paragraph "a" may be used for costs of administration and  
11 implementation of soil and water conservation practices.

12 5. SOIL AND WATER CONSERVATION

13 a. For use by the department in providing for soil and  
14 water conservation administration, the conservation of soil and  
15 water resources, or the support of soil and water conservation  
16 district commissioners:

17 ..... \$ 6,650,000

18 b. Not more than 5 percent of the moneys appropriated in  
19 paragraph "a" may be allocated for cost sharing to address  
20 complaints filed under section 161A.47.

21 c. Of the moneys appropriated in paragraph "a", 5 percent  
22 shall be allocated for financial incentives to establish  
23 practices to protect watersheds above publicly owned lakes of  
24 the state from soil erosion and sediment as provided in section  
25 161A.73.

26 d. Not more than 30 percent of a soil and water conservation  
27 district's allocation of moneys as financial incentives may be  
28 provided for the purpose of establishing management practices  
29 to control soil erosion on land that is row cropped, including  
30 but not limited to no-till planting, ridge-till planting,  
31 contouring, and contour strip-cropping as provided in section  
32 161A.73.

33 e. The state soil conservation committee established by  
34 section 161A.4 may allocate moneys appropriated in paragraph  
35 "a" to conduct research and demonstration projects to promote

1 conservation tillage and nonpoint source pollution control  
2 practices.

3 f. The allocation of moneys as financial incentives as  
4 provided in section 161A.73 may be used in combination with  
5 moneys allocated by the department of natural resources.

6 g. Not more than 15 percent of the moneys appropriated  
7 in paragraph "a" may be used for costs of administration and  
8 implementation of soil and water conservation practices.

9 h. In lieu of moneys appropriated in section 466A.5, not  
10 more than \$50,000 of the moneys appropriated in paragraph  
11 "a" shall be used by the soil conservation division of the  
12 department of agriculture and land stewardship to provide  
13 administrative support to the watershed improvement review  
14 board established in section 466A.3.

15 6. AGRICULTURAL DRAINAGE WELL WATER QUALITY ASSISTANCE FUND

16 For deposit in the agricultural drainage well water quality  
17 assistance fund created in section 460.303 to be used for  
18 purposes of supporting the agricultural drainage well water  
19 quality assistance program as provided in section 460.304:

20 ..... \$ 550,000

21 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

22 a. For deposit in the loess hills development and  
23 conservation fund created in section 161D.2:

24 ..... \$ 475,000

25 b. (1) Of the amount appropriated in paragraph "a",  
26 \$356,250 shall be allocated to the fund's hungry canyons  
27 account.

28 (2) Not more than 10 percent of the moneys allocated to the  
29 hungry canyons account as provided in subparagraph (1) may be  
30 used for administrative costs.

31 c. (1) Of the amount appropriated in paragraph "a",  
32 \$118,750 shall be allocated to the fund's loess hills alliance  
33 account.

34 (2) Not more than 10 percent of the moneys allocated to the  
35 loess hills alliance account as provided in subparagraph (1)

1 may be used for administrative costs.

2 Sec. 27. DEPARTMENT OF NATURAL RESOURCES. There is  
3 appropriated from the environment first fund created in section  
4 8.57A to the department of natural resources for the fiscal  
5 year beginning July 1, 2013, and ending June 30, 2014, the  
6 following amounts, or so much thereof as is necessary, to be  
7 used for the purposes designated:

8 1. KEEPERS OF THE LAND

9 For statewide coordination of volunteer efforts under the  
10 water quality and keepers of the land programs:

11 ..... \$ 100,000

12 2. STATE PARKS MAINTENANCE AND OPERATIONS

13 For regular maintenance of state parks and staff time  
14 associated with these activities:

15 ..... \$ 3,710,000

16 3. GEOGRAPHIC INFORMATION SYSTEM (GIS)

17 To provide local watershed managers with geographic  
18 information system data for their use in developing,  
19 monitoring, and displaying results of their watershed work:

20 ..... \$ 195,000

21 4. WATER QUALITY MONITORING

22 For continuing the establishment and operation of water  
23 quality monitoring stations:

24 ..... \$ 2,955,000

25 5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT

26 For deposit in the public water supply system account of the  
27 water quality protection fund created in section 455B.183A:

28 ..... \$ 500,000

29 6. REGULATION OF ANIMAL FEEDING OPERATIONS

30 For the regulation of animal feeding operations, including  
31 as provided for in chapters 459 through 459B:

32 ..... \$ 1,920,000

33 7. AMBIENT AIR QUALITY

34 For the abatement, control, and prevention of ambient  
35 air pollution in this state, including measures as necessary

1 to assure attainment and maintenance of ambient air quality  
2 standards from particulate matter:  
3 ..... \$ 425,000

4 8. WATER QUANTITY REGULATION

5 For regulating water quantity from surface and subsurface  
6 sources by providing for the allocation and use of water  
7 resources, the protection and management of water resources,  
8 and the preclusion of conflicts among users of water resources,  
9 including as provided in chapter 455B, division III, part 4:  
10 ..... \$ 495,000

11 9. GEOLOGICAL AND WATER SURVEY

12 For continuing the operations of the department's geological  
13 and water survey including but not limited to providing  
14 analysis, data collection, investigative programs, and  
15 information for water supply development and protection:  
16 ..... \$ 200,000

17 10. KEEP IOWA BEAUTIFUL INITIATIVE

18 For purposes of supporting a keep Iowa beautiful initiative  
19 in order to assist communities in developing and implementing  
20 beautification and community development plans:  
21 ..... \$ 200,000

22 Sec. 28. REVERSION. Notwithstanding section 8.33,  
23 moneys appropriated for the fiscal year beginning July 1,  
24 2013, in this division of this Act that remain unencumbered  
25 or unobligated at the close of the fiscal year shall not  
26 revert but shall remain available to be used for the purposes  
27 designated until the close of the succeeding fiscal year or  
28 until the project for which the appropriation was made is  
29 completed, whichever is earlier.

30 DIVISION VI

31 ENVIRONMENT FIRST FUND

32 SPECIAL APPROPRIATION FOR FY 2013-2014

33 Sec. 29. REAP — IN LIEU OF GENERAL FUND APPROPRIATION.  
34 Notwithstanding the amount of the standing appropriation from  
35 the general fund of the state to the Iowa resources enhancement

1 and protection fund as provided in section 455A.18, there is  
2 appropriated from the environment first fund created in section  
3 8.57A to the Iowa resources enhancement and protection fund,  
4 in lieu of the appropriation made in section 455A.18, for the  
5 fiscal year beginning July 1, 2013, and ending June 30, 2014,  
6 the following amount, to be allocated as provided in section  
7 455A.19:

8 ..... \$ 20,000,000

9 DIVISION VII

10 RELATED STATUTORY CHANGES

11 Sec. 30. 2011 Iowa Acts, chapter 128, section 19, subsection  
12 1, as amended by 2012 Iowa Acts, chapter 1135, section 15, is  
13 amended to read as follows:

14 SEC. 19. USE OF MONEYS — RADIOS.

15 1. Notwithstanding 2010 Iowa Acts, chapter 1191, section 7,  
16 the department of natural resources may use the unappropriated  
17 balance remaining in the state fish and game protection fund  
18 for the fiscal year beginning July 1, 2010, and ending June  
19 30, 2011, to purchase mobile radios to meet federal and state  
20 requirements for homeland security and public safety. This  
21 section applies to those moneys in the fund that are not  
22 otherwise used, obligated, or encumbered for payment of health  
23 and life insurance premium payments for conservation peace  
24 officer retirements for that fiscal year. The department may  
25 use such moneys until June 30, ~~2013~~ 2014.

26 Sec. 31. Section 460.303, subsection 3, Code 2013, is  
27 amended to read as follows:

28 3. The Moneys in the fund shall be used are appropriated to  
29 support an agricultural drainage well water quality assistance  
30 program as provided in section 460.304. Moneys shall be used  
31 to provide financial incentives under the program, and to  
32 defray expenses by the division in administering the program.  
33 However, not more than one percent of the money in the fund is  
34 available to defray administrative expenses. The division may  
35 adopt rules pursuant to chapter 17A to administer this section.

1 Sec. 32. Section 466B.2, unnumbered paragraph 1, Code 2013,  
2 is amended to read as follows:

3 For the purposes of this ~~chapter~~ subchapter, unless the  
4 context otherwise requires:

5 Sec. 33. Section 466B.21, Code 2013, is amended by adding  
6 the following new subsection:

7 NEW SUBSECTION. 4. "*Watershed*" means the same as defined  
8 in section 466B.1.

9 Sec. 34. NEW SECTION. **466B.41 Definitions.**

10 As used in this subchapter, unless the context otherwise  
11 requires:

12 1. "*Division*" means the division of soil conservation  
13 within the department of agriculture and land stewardship as  
14 established in section 161A.4.

15 2. "*Fund*" means the water quality initiative fund created  
16 in section 466B.46.

17 3. "*Nutrient*" includes nitrogen and phosphorus.

18 4. "*Regional watershed*", "*subwatershed*", and "*watershed*" mean  
19 the same as defined in section 466B.1.

20 Sec. 35. NEW SECTION. **466B.42 Water quality initiative.**

21 The division shall establish a water quality initiative  
22 in order to assess and reduce nutrients in this state's  
23 watersheds, including subwatersheds, and regional watersheds.  
24 The division shall establish and administer projects to  
25 reduce nutrients in surface waters from nonpoint sources in  
26 a scientific, reasonable, and cost-effective manner. The  
27 division shall utilize a pragmatic, strategic, and coordinated  
28 approach with the goal of accomplishing reductions over time.

29 Sec. 36. NEW SECTION. **466B.46 Water quality initiative**  
30 **fund.**

31 1. A water quality initiative fund is created in the state  
32 treasury under the management and control of the division.

33 2. The fund shall include moneys appropriated by the general  
34 assembly. The fund may include other moneys available to and  
35 obtained or accepted by the division, including moneys from

1 public or private sources.

2 3. Moneys in the fund are appropriated to the division and  
3 shall be used exclusively to carry out the provisions of this  
4 subchapter as determined by the division, and shall not require  
5 further special authorization by the general assembly.

6 4. a. Notwithstanding section 12C.7, interest or earnings  
7 on moneys in the fund shall be credited to the fund.

8 b. Notwithstanding section 8.33, moneys appropriated or  
9 otherwise credited to the fund for a fiscal year shall not  
10 revert to the fund from which appropriated at the close of the  
11 fiscal year for which the appropriation was made but shall  
12 remain available for expenditure for the purposes designated  
13 until the close of the fiscal year that begins two years  
14 from the beginning date of the fiscal year for which the  
15 appropriation was made.

16 Sec. 37. CODE EDITOR. The Code editor shall codify sections  
17 466B.41 through 466B.46, as enacted by this division of this  
18 Act, as a new subchapter.

19

EXPLANATION

20 GENERAL. This bill relates to agriculture and natural  
21 resources by making appropriations for the 2013-2014 fiscal  
22 year to support related entities, including the department of  
23 agriculture and land stewardship (DALs), the department of  
24 natural resources (DNR), and Iowa state university (ISU).

25 The bill primarily appropriates moneys to DALs and DNR.  
26 The appropriations are made to support those departments for  
27 administration, regulation, and support of programs. The bill  
28 requires the departments to submit quarterly reports to the  
29 general assembly and department of management regarding the  
30 expenditure of appropriated moneys. The bill also provides  
31 moneys to support specific programs or projects administered by  
32 those departments. The bill appropriates moneys from a number  
33 of sources, including the general fund of the state, the state  
34 fish and game protection fund, the groundwater protection fund,  
35 and the environment first fund. The bill is organized into

1 divisions.

2 DALS — GENERAL FUND APPROPRIATION. For DALS, moneys are  
3 appropriated from the general fund in order to support its  
4 administrative divisions, including consumer protection and  
5 industry services, soil conservation, and food safety and  
6 animal health. Moneys are transferred to Iowa state university  
7 to support its midwest grape and wine institute.

8 DALS — MISCELLANEOUS FUNDS APPROPRIATIONS. The bill  
9 appropriates moneys from a number of sources to support DALS  
10 in order to support designated purposes, including moneys  
11 derived from unclaimed winnings from horse and dog races, for  
12 administration and enforcement of racing regulations (Code  
13 section 99D.22); and moneys deposited into the renewable fuel  
14 infrastructure fund, for purposes of motor fuel inspection and  
15 auditing biofuel processing and production (Code chapter 214A).  
16 The department is required to transfer moneys to ISU to support  
17 the university's midwest grape and wine industry institute.

18 DALS — SPECIAL GENERAL FUND APPROPRIATIONS. The bill also  
19 makes special appropriations from the general fund to DALS in  
20 order to support specific purposes including milk inspection  
21 (Code section 192.109), the local food and farm program (Code  
22 chapter 267A), an agricultural education organization, and  
23 assistance to farmers with disabilities.

24 DALS — GENERAL FUND SOIL AND WATER CONSERVATION AND WATER  
25 QUALITY. The bill appropriates moneys from the general  
26 fund of the state to support the conservation of soil and  
27 water resources, and soil and water conservation district  
28 commissioners. The bill also appropriates moneys to the  
29 department in order to support a water quality initiative  
30 created by the bill, including to support a number of projects.  
31 The moneys appropriated to support the water quality initiative  
32 are deposited into a new water quality initiative fund created  
33 by the bill. It also appropriates moneys for deposit into the  
34 watershed improvement fund.

35 DNR — GENERAL FUND AND OTHER MAJOR FUNDS APPROPRIATIONS.

1 The bill makes appropriations from a number of funds to DNR in  
2 order to support its administrative divisions involving natural  
3 resources and environmental protection from the general fund  
4 of the state, the state fish and game protection fund, and the  
5 groundwater protection fund.

6 DNR — DESIGNATED MISCELLANEOUS FUNDS APPROPRIATIONS. The  
7 bill appropriates moneys to DNR from a number of sources to  
8 support designated purposes, including moneys deposited in the  
9 special snowmobile fund (Code section 321G.7) to provide for  
10 administering and enforcing the state snowmobile programs; and  
11 moneys deposited in the unassigned revenue fund for purposes  
12 of paying for administration of the department's underground  
13 storage tank section.

14 DNR — SPECIAL GENERAL FUND APPROPRIATIONS. The bill also  
15 makes special appropriations from the general fund to DNR  
16 in order to support specific purposes including floodplain  
17 management and dam safety, forestry health management programs,  
18 and state park maintenance and operations.

19 ISU — SPECIAL GENERAL FUND APPROPRIATIONS. The bill  
20 appropriates moneys from the general fund to ISU to support the  
21 operation of its veterinary diagnostic laboratory.

22 DALs AND DNR — GENERAL ENVIRONMENT FIRST FUND  
23 APPROPRIATIONS. The bill appropriates moneys from the  
24 environment first fund (Code section 8.57A) to support a  
25 number of programs administered by DALs and DNR. For DALs,  
26 the moneys are appropriated to support programs involving soil  
27 conservation, watershed protection and nutrient management,  
28 agricultural drainage well closure and the loess hills  
29 development and conservation fund; and for DNR, moneys are  
30 appropriated to support programs involving water quality,  
31 state parks, public water supplies, air quality, water supply  
32 information, and a keep Iowa beautiful initiative.

33 IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND — SPECIAL  
34 ENVIRONMENT FIRST FUND APPROPRIATION. The bill also  
35 appropriates \$20 million from the environment first fund to

1 the Iowa resources enhancement and protection fund in lieu of  
2 the \$20 million appropriated by Code section 455A.18 from the  
3 general fund of the state.

4 RELATED STATUTORY CHANGES. The bill extends the period when  
5 the DNR may use moneys authorized in 2010 to purchase mobile  
6 radios. The department may use such moneys until June 30,  
7 2014. The bill amends a provision creating the agricultural  
8 drainage well water quality assistance fund in Code section  
9 460.303 to expressly provide its moneys are appropriated to  
10 support the water quality assistance program. The current  
11 provision does not use the term "appropriate". The bill  
12 codifies the water quality initiative in Code chapter 466B, and  
13 requires the division of soil conservation to assess and reduce  
14 nutrients in this state's waters, including the implementation  
15 of efforts to reduce nutrients in surface waters from nonpoint  
16 sources in a scientific, reasonable, and cost-effective  
17 manner. The bill also establishes the associated water quality  
18 initiative fund. The new provisions are to be part of a new  
19 Code subchapter.